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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/032,676	10/19/2001	Thomas W. Jacobs		7305

7590

09/10/2003

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EXAMINER

RADA, ALEX P

ART UNIT

PAPER NUMBER

3714

DATE MAILED: 09/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/032,676

Applicant(s)

JACOBS ET AL.

Examiner

Alex P. Rada

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 June 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

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DETAILED ACTION

Response to Amendment

In response to the amendment filed June 13, 2003 in which the applicant submits a new abstract, amends claims 1, 7, 12, and 13, and claims 1-16 are pending in this office action.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1 and 2 are rejected under 35 U.S.C. 102(b) as being anticipated by LeVasseur '789.

3. LeVasseur discloses a multiple action blackjack (twenty one) card game having a player select the number of dealer hand positions having at least two dealer hand positions, in which the examiner interprets to be the number of betting circles a player wishes to wager on the number of dealer hand positions (column 5, lines 1-15), a single player hand position (column 4, lines 17 - column 5, lines 1-15), a wager placement positions corresponding with each dealer hand position (betting circles figure 1), crediting the player for a wager placed in each wager position, dealing a pair of cards to a the player to create a player hand, dealing cards to the player at the request of the player to create a player hold hand, dealing cards to each dealer based on the dealer hold criteria to create a dealer hold hand for each dealer, comparing the player hold hand to each dealer hold hand to determine if the player hold hand wings over any of the dealer hold hands and crediting the single player for each dealer hold hand that is beat by the player hold hand and crediting the casino for each dealer hold hand is not beat by a player hold hand, and carry out multiple games of blackjack based

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on the player hold hand (column 5, line 1 – column 7, line 24). Inherently, LeVasseur could be implemented as an electronic game having a displaying screen at a gaming location and displaying the dealer hand position and the player hand position on the display as recited in claim 2 (column 7, lines 12-24).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over LeVasseur '789 in view of Vuong '552.

6. LeVasseur discloses the claimed invention as discussed above except a processor at a remote location, the processor at a remote location being connected to the display screen by a network, and processing the dealer hold criteria with the use of the processor.

Vuong teaches a processor at a remote location, the processor at a remote location being connected to the display screen by a network, and processing the dealer hold criteria with the use of the processor (figure 1). By having remote play of a game, one of ordinary skill in the art would be able to play game from the comfort of your own home. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the applicant's invention was made to modify LeVasseur to include a processor at a remote location connected to the display screen by a network, and processing the dealer hold criteria with the use of the processor as taught by Vuong. To do so would allow game players to play different types of games within the comforts of there own home.

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7. Claims 4-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over LeVasseur '789 in view of Moody '335.

8. LeVasseur disclose the claimed invention as discussed except for creating more than one player hands, and dealing cards to the player hand at the request of the player is carried out for each player hand at the request of the player as recited in claim 4; the cards are randomly selected from at least one electronic card deck containing all of the cards not on display on the display screen as recited in claim 5.

Moody teaches creating more than one player hands, and dealing cards to the player hand at the request of the player is carried out for each player hand at the request of the player, which the positions (10, 12, and 14) are interpreted to be players separate hands (column 5, lines 43-52), and the cards are randomly selected from at least one electronic card deck containing all of the cards not on display on the display screen (column 4, lines 55-60). By having multiple player hands, one of ordinary skill in the art would provide the game of Twenty-one which increases the effective number of hands that can be played in the same amount of time by a player. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the applicant's invention was made to modify LeVasseur to include creating more than one player hands, and dealing cards to the player hand at the request of the player is carried out for each player hand at the request of the player and having the cards are randomly selected from at least one electronic card deck containing all of the cards not on display on the display screen as taught by Moody. To do so would provide the game of Twenty-one which increases the effective number of hands that can be played in the same amount of time by a player.

9. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over LeVasseur '789 in view of Vuong '552 as applied to claim 3 above, and further in view of Keller '575.

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10. LeVasseur in view of Vuong disclose the claimed invention as discussed above except for a bonus hand identity.

Keller teaches a blackjack game having a bonus hand identity (figure 2). By having a bonus hand identity, one of ordinary skill in the art would be able to provide game players with a greater chance at a bigger payout. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the applicant's invention was made to modify LeVasseur/Vuong to include a bonus hand identity as taught by Keller. To do so would be able to provide game players with an increased payout outcome.

11. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over LeVasseur '789 in view of Moody '335.

12. LeVasseur discloses a multiple action blackjack (twenty one) card game having a player select the number of dealer hand positions having at least two dealer hand positions, in which the examiner interprets to be the number of betting circles a player wishes to wager on the number of dealer hand positions (column 5, lines 1-15), a single player hand position (column 4, lines 17 - column 5, lines 1-15), a wager placement positions corresponding with each dealer hand position (betting circles figure 1), crediting the player for a wager placed in each wager position, dealing a pair of cards to a the player to create a player hand, dealing cards to the player at the request of the player to create a player hold hand, dealing cards to each dealer based on the dealer hold criteria to create a dealer hold hand for each dealer, comparing the player hold hand to each dealer hold hand to determine if the player hold hand wings over any of the dealer hold hands and crediting the single player for each dealer hold hand that is beat by the player hold hand and crediting the casino for each dealer hold hand is not beat by a player hold hand, and carry out multiple games of blackjack based

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on the player hold hand (column 5, line 1 – column 7, line 24). LeVasseur does not expressly disclose a player selected number of at least one player hand positions.

Moody teaches creating more than one player hands, which the positions (10, 12, and 14) are interpreted to be players separate hands (column 5, lines 43-52). By having multiple player hands, one of ordinary skill in the art would provide the game of Twenty-one which increases the effective number of hands that can be played in the same amount of time by a player. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the applicant's invention was made to modify LeVasseur to include a player selected number of at least one player hand positions as taught by Moody. To do so would provide the game of Twenty-one which increases the effective number of hands that can be played in the same amount of time by a player.

13. Claims 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over LeVasseur '789 in view of Moody '335 as applied to claim 7 above, and further in view of Vuong '552.

14. LeVasseur in view of Moody further disclose creating more than one player hands, and dealing cards to the player hand at the request of the player is carried out for each player hand at the request of the player as recited in claim 9; the cards are randomly selected from at least one electronic card deck containing all of the cards not on display on the display screen as recited in claim 10 and the claimed invention as discussed above except for a processor at a remote location, the processor at a remote location being connected to the display screen by a network, and processing the dealer hold criteria with the use of the processor as recited in claim 8.

Vuong teaches a processor at a remote location, the processor at a remote location being connected to the display screen by a network, and processing the dealer hold criteria with the use of the processor (figure 1). By having remote play of a game, one of ordinary skill in the art would be able to play game from the comfort of your own home. Therefore, it would have been obvious to one

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of ordinary skill in the art at the time of the applicant's invention was made to modify LeVasseur/Moody to include a processor at a remote location connected to the display screen by a network, and processing the dealer hold criteria with the use of the processor as taught by Vuong. To do so would allow game players to play different types of game within the comforts of there own home.

15. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over LeVasseur '789 in view of Moody '335 and Vuong '552 as applied to claims 7-10 above, and further in view of Keller '575.

16. LeVasseur in view of Moody and Vuong disclose the claimed invention as discussed above except for a bonus hand identity for comparing a winning player hand with the bonus hand and paying the player a bonus amount when the winning player hand is the same as the bonus hand.

Keller teaches a blackjack game having a bonus hand identity (figure 2) for comparing a winning player hand with the bonus hand and paying the player a bonus amount when the winning player hand is the same as the bonus hand. By having a bonus hand identity, one of ordinary skill in the art would be able to provide game players with a greater chance at a bigger payout. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the applicant's invention was made to modify LeVasseur/Moody/Vuong to include a bonus hand identity as taught by Keller. To do so would be able to provide game players with an increased payout outcome.

17. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over LeVasseur '789 in view of Vuong '552.

18. LeVasseur discloses a multiple action blackjack (twenty one) card game having a player select the number of dealer hand positions having at least two dealer hand positions, in which the examiner interprets to be the number of betting circles a player wishes to wager on the number of

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dealer hand positions (column 5, lines 1-15), a single player hand position (column 4, lines 17 - column 5, lines 1-15), a wager placement positions corresponding with each dealer hand position (betting circles figure 1), crediting the player for a wager placed in each wager position, dealing a pair of cards to a the player to create a player hand, dealing cards to the player at the request of the player to create a player hold hand, dealing cards to each dealer based on the dealer hold criteria to create a dealer hold hand for each dealer, comparing the player hold hand to each dealer hold hand to determine if the player hold hand wings over any of the dealer hold hands and crediting the single player for each dealer hold hand that is beat by the player hold hand and crediting the casino for each dealer hold hand is not beat by a player hold hand, and carry out multiple games of blackjack based on the player hold hand (column 5, line 1 – column 7, line 24). LeVasseur does not expressly disclose a gaming station having a display screen, memory, and a processor as recited in claim 12.

Vuong teaches a gaming station having a display screen, memory, and a processor (figure 1). By having gaming station, one of ordinary skill in the art would be able to play games from the comfort of there own home. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the applicant's invention was made to modify LeVasseur to include a gaming station having a display screen, memory, and a processor as taught by Vuong. To do so would allow game players to play different types of game within the comforts of there own home.

19. Claims 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over LeVasseur '789 in view of Vuong '552 as applied to claim 12 above, and further in view of Moody '335.

20. LeVasseur in of Vuong disclose the claimed invention as discussed except for processing the dealer hold criteria with the use of the processor as recited in claim 13; creating more than one player hands, and dealing cards to the player hand at the request of the player is carried out for each player hand at the request of the player as recited in claim 14; the cards are randomly selected from at least

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one electronic card deck containing all of the cards not on display on the display screen as recited in claim 15.

Moody teaches creating more than one player hands, and dealing cards to the player hand at the request of the player is carried out for each player hand at the request of the player, which the positions (10, 12, and 14) are interpreted to be players separate hands (column 5, lines 43-52), and the cards are randomly selected from at least one electronic card deck containing all of the cards not on display on the display screen (column 4, lines 55-60). By having multiple player hands, one of ordinary skill in the art would provide the game of Twenty-one which increases the effective number of hands that can be played in the same amount of time by a player. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the applicant's invention was made to modify LeVasseur/Vuong to include processing the dealer hold criteria with the use of the processor, creating more than one player hands, and dealing cards to the player hand at the request of the player is carried out for each player hand at the request of the player and having the cards are randomly selected from at least one electronic card deck containing all of the cards not on display on the display screen as taught by Moody. To do so would provide the game of Twenty-one which increases the effective number of hands that can be played in the same amount of time by a player.

21. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over LeVasseur '789 in view of Vuong '552 as applied to claims 12-15 above, and further in view of Keller '575.

22. LeVasseur in view of Vuong disclose the claimed invention as discussed above except for a bonus hand identity.

Keller teaches a blackjack game having a bonus hand identity (figure 2). By having a bonus hand identity, one of ordinary skill in the art would be able to provide game players with a greater chance at a bigger payout. Therefore, it would have been obvious to one of ordinary skill in the art at

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the time of the applicant's invention was made to modify LeVasseur/Vuong to include a bonus hand identity as taught by Keller. To do so would be able to provide game players with an increased payout outcome.

Response to Arguments

23. Applicant's arguments with respect to claims 1-16 have been considered and addressed as stated in the rejection above.

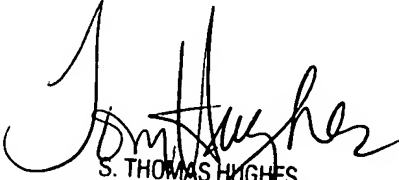
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alex P. Rada whose telephone number is 703-308-7135. The examiner can normally be reached on Monday - Friday, 08:00-16:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Hughes can be reached on 703-308-1806. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1148.

NR
apr


S. THOMAS HUGHES
SUPERVISORY PATENT EXAMINER
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